

REMARKS

Applicants wish to thank Examiners Smith and Marschel for the helpful telephone interview of June 3, 2004, during which the amendments proposed herein were discussed. More specifically, the Examiners and Applicants' representative discussed the amendments to claim 1 that add the active step of providing the atomic co-ordinates of Table II, and that modify the last sub-section (now section (d)) to recite "physically contacting said potential modulator with L11/GAR" and the manner by which these amendments overcome the present rejections. The Examiners agreed to consider entry of the proposed amendments.

Claims 1-6 are under examination. Claims 7-32 are withdrawn as drawn to a non-elected invention. Claim 1 is proposed to be amended herein. The amendments add no new matter.

Rejection under 35 U.S.C. §112, First Paragraph:

Claims 1-6 are rejected for new matter over the phrase "wherein said contacting comprises contacting by computer modeling or by physically contacting said potential modulator with the L11/GAR, wherein a modulator of L11/GAR activity is identified." The Office Action states

"Written basis is analyzing potential modulating effect of a chemical compound on the L11/GAR via computer modeling (page 40, lines 2-3 of the specification), but not for the broadly mentioned 'contacting by computer modeling,' as now stated in the claim 1, lines 9-10. Written basis is also provided for a compound physically and structurally *associating with* L11/GAR, but not necessarily physically contacting said potential modulator with the L11/GAR which differs in scope, as now stated in claim 1, lines 10-11. The added portion of what 'contacting' comprises as newly stated on lines 9-11 is not adequately supported in the specification, drawings or claims as originally filed."

The Office Action thus concludes that the "contacting by computer modeling..." language is new matter. Applicants respectfully disagree.

Applicants submit that the amendment to claim 1 proposed herein to recite "b) using said three dimensional structure of the L11/GAR to design or select a potential modulator by computer modeling" and "d) physically contacting said potential modulator with L11/GAR to determine the ability of said potential modulator to modulate L11/GAR activity" is sufficient to

Interview
Summary
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